



UNITED STATES PATENT AND TRADEMARK OFFICE

17 OCT 2006

AF 7

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Brian P. Kinnear
HOLLAND & HART
555 17th Street,
Suite 3200
Denver, Colorado 80201

In re Application of:
BRIDLE, Trevor, Redvers, et al. : DECISION
U.S. Application No.: 10/526,714 :
PCT No.: PCT/AU2003/001099 :
International Filing Date: 26 August 2003 :
Priority Date: 04 September 2002 :
Attorney's Docket No.: 830001.000 :
For: CONVERSION OF SLUDGES AND :
CARBONACEOUS MATERIALS :

In a decision mailed by this Office on 19 January 2006, applicants' petition under 37 CFR 1.47(a) for acceptance of the application without the signature of co-applicant Stefan SKRYPSKI-MANTELE was dismissed without prejudice for failure to satisfy the requirements of a grantable petition.

On 23 August 2006, this Office received an unsigned facsimile communication from above-named counsel, accompanied by a copy of, among other materials, a declaration executed by the previously non-signing inventor Stefan SKRYPSKI-MANTELE.¹ The 23 August 2006 submission implies that the accompanying declaration was originally filed in the USPTO on 18 August 2006, but a grantable petition to confirm the 18 August 2006 filing has not been submitted, and the application file does not contain any copy of this declaration other than that submitted by facsimile on 23 August 2006.

The decision mailed on 19 January 2006 provided a two-month response period. Pursuant to 37 CFR 1.136(a), this period was extendable for up to five additional months, that is, until 21 August 2006 (19 August 2006 was a Friday). As discussed above, the only response to the previous decision contained in the application file is the 23 August 2006 facsimile.

Based on the above, the present application is **ABANDONED** for failure to file a timely response to the decision mailed 19 January 2006.

If applicants seek withdrawal of the holding of abandonment, a grantable petition confirming the 18 August 2006 filing of the declaration executed by previously non-signing

¹ It is noted that an agent from a different law firm than that listed above executed the transmittal letter accompanying the declaration, and the correspondence address indicated in the declaration is for such law firm, not the above-listed correspondence address of record.

inventor Stefan SKRYPSKI-MANTELE must be promptly submitted, accompanied by payment of the five-month extension fee required to make the 18 August 2006 submission a timely response to the 19 January 2006 decision.

In the alternative, if a grantable petition to confirm the 18 August 2006 filing of the executed declaration cannot be submitted (i.e., if such declaration was not timely filed), then applicants might consider filing a petition for revival of the application under 37 CFR 1.137(b).

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

nellr

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296
Facsimile: (571) 273-0459